



U.S. Department of Justice


Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 30, 2000

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Robert Raben 
Assistant Attorney General

SUBJECT: Weekly Report for May 30, 2000 - June 2, 2000

The House and Senate are in recess until June 6, 2000.

THE WEEK AHEAD

Cybercrime Legislative Briefings: Today, May 30, staff from the Office of Legislative Affairs and the Computer Crime and Intellectual Property Section are meeting with Beryl Howell, Counsel to Senator Leahy, Ranking Member on the Senate Judiciary Committee, regarding legislation pending to combat cybercrime.

In addition, on June 1, staff for Senator DeWine's Antitrust Subcommittee will be briefed on the enforcement of the Electronics Communications Privacy Act and cybercrime training of investigators and prosecutors. ~~(Daley)~~

Class Action Reform: We expect class action reform to come before the Senate Judiciary Committee after the recess. Senator Grassley's bill, S. 353, is co-sponsored by Senator Kohl. A similar bill (H. R. 1875) passed narrowly in the House and the Statement of Administration Policy included a Senior Advisers' level veto threat. (Wilson)

Civil Rights Division Oversight Hearing: The Constitution Subcommittee (Canady, Chair) of the House Judiciary Committee has scheduled an oversight hearing of the Civil Rights Division for July 12. Acting Assistant Attorney General Bill Lann Lee will testify before the Subcommittee. (Ho)

THE WEEK IN REVIEW

Meeting on Lafayette Parish School District Case: On May 30, representatives of the Office of Legislative Affairs and the Civil Rights Division met with staff for Congressman John about recent developments in this case. (Ho)

Drugs and the Mail: On May 26, the Subcommittee on Criminal Justice, Drug Policy and Human Resources (Mica, Chair) of the House Government Reform Committee held a hearing on possible regulations to stop the shipping of illegal drugs through various mail services. DEA Special Agent-in-Charge Joseph D. Keefe, and FBI's Assistant Drug Section Chief, W. K. Williams testified before the Subcommittee. (Tanner)

Virginia Voter Identification Requirements: On May 26, representatives of the Office of Legislative Affairs and the Civil Rights Division met with Congressman Bobby Scott regarding the Division's review of the State of Virginia's submission regarding voter identification requirements enacted this year under Section 5 of the Voting Rights Act. (Ho)

Preparedness Against Terrorism Act of 2000: On May 25, the House Transportation and Infrastructure Subcommittee on Oversight, Investigations and Emergency Management (Fowler, Chair) reported out with an amendment to this bill (H.R. 4210), which would establish an office for a "domestic preparedness terrorism czar" in the White House. (Daley)

Meeting on Los Angeles/Ramparts Matter: On May 25, Acting Assistant Attorney General Bill Lann Lee met with Representative Maxine Waters to discuss federal involvement in the Ramparts matter. (Ho)

Online Pharmacy Sales: On May 25, the Oversight and Investigations Subcommittee (Upton, Chair) of the House Commerce Committee held a hearing on enforcement of laws governing the sale of pharmaceuticals over the Internet. Deputy Associate Attorney General Ethan Posner testified before the Subcommittee. In anticipation of the hearing, staff from the Office of Legislative Affairs met with House Commerce Committee staff to review the issues likely to arise at the hearing. (Owen)

Internet Critical Infrastructure Protection Act: On May 25, the Senate Judiciary Committee (Hatch, Chair) held a hearing on S. 2448, the Internet and Critical Infrastructure Protection Act. Criminal Division's Assistant Attorney General James Robinson, and Computer Crime and Intellectual Property Section Chief Martha Stansell Gamm, and FBI's National Infrastructure Protection Center Director Michael Vatis testified before the Committee. (Daley)

Campaign Finance Fundraising Allegations: On May 24, the Department agreed to a protocol with the House Committee on Government Reform regarding subpoenaed documents dealing with the Department's decision not to appoint an independent counsel for campaign financing matters. We earlier had agreed to protocols with the House and Senate Committees on the Judiciary. Deputy Attorney General Eric Holder, accordingly, was excused from a subpoena to produce the documents and to testify at a hearing scheduled for May 25. (Tanner)

Campaign Finance Investigation Hearing: On May 24, the Subcommittee on Administrative Oversight and the Courts (Grassley, Chair) of the Senate Judiciary Committee held a hearing on the Department's decision not to appoint an independent counsel to investigate the campaign finance issues from the 1996 presidential election. FBI's General Counsel Larry Parkinson and Criminal Division's Public Integrity Section Chief Lee Radek testified before the Subcommittee. (Tanner)

Radiation Exposure: At the May 24 markup of S. 1515, the "Radiation Exposure Compensation Act Amendments of 1999," the House Judiciary Committee (Hyde, Chair) passed

the bill out of Committee unamended by voice vote. The Department has several concerns with the legislation which were expressed to the Committee in a views letter in January. (Pearlman)

Methamphetamine Anti-Proliferation Act: The House Judiciary Committee (Hyde, Chair) again postponed its markup of H.R. 2789, the Methamphetamine Anti-Proliferation Act, a counterpart to S. 486, which has been passed by the Senate. (Tanner)

VAWA: On May 23, staff from the Office of Legislative Affairs, the Office of Policy Development and the Violence Against Women Office met with Senate Judiciary Committee staff regarding the reauthorization of the VAWA grant programs. In addition, staff from OLA, OPD and VAWO attended a White House meeting last week with representatives of the women's groups to discuss VAWA II legislation. A similar White House meeting was held on May 23, with representatives of law enforcement organizations. Finally, OLA, OPD and VAWO staff met with House Judiciary Committee staff today to discuss amendments to H.R. 1248, a bill to reauthorize the VAWA. (First)

Arizona Border: On May 23, staff from the Office of Legislative Affairs and the Office of the Deputy Attorney General accompanied the Attorney General, the Deputy Attorney General and Commissioner Meissner to a meeting with Senator Kyl regarding Arizona border issues. Also on May 23, staff from the Office of Legislative Affairs and the Office of the Deputy Attorney General accompanied the Deputy Attorney General to a meeting with Representatives Reyes and Ortiz regarding the increase in prosecutions along the southern border. (First)

Bankruptcy: Prospects for the passage of comprehensive reform legislation may be improving, but did not occur before the Memorial Day recess. Differences between Senate Democrats and Republicans have come down to a handful of areas, including among others, pension cap language, and Senator Schumer's language dealing with the non-dischargeability of penalties for violence against abortion clinics. The problem may now be with the appropriate legislative vehicle; the often-mentioned crop insurance conference report was passed by the Senate before they left for the recess. (Wilson)

E-Signatures Legislation: ~~On May 23,~~ the Department sent a views letter on a Conference Committee draft of S. 761, the digital signatures bill. The Department is concerned that this version of the bill, if passed, would affect environmental law enforcement and seriously undermine the ability of the government to prevent fraud in a wide variety of government programs. The Department is continuing to work with staff from the Commerce Department and the White House, who have the lead on these negotiations. (Owen)

Obscenity on the Internet: On May 23, the Telecommunications, Trade and Consumer Protection Subcommittee (Tauzin, Chair) of the House Commerce Committee held a hearing on obscene material available on the Internet. Criminal Division's Deputy Assistant Attorney General Alan Gershel testified for the Department. (Owen)

Nominations: On May 31, Acting Associate Attorney General Dan Marcus is having a courtesy visit with staff for Senator Biden.

On May 25, the following nominations were sent to the Senate: Stephen Orlofsky, to be a United States Circuit Judge for the Third Circuit Court of Appeals, and Norman Bay, to be United States Attorney for New Mexico.

On May 25, the Senate Judiciary Committee held a hearing on the following nominations: Dan Marcus, to be Associate Attorney General; Bonnie Campbell, to be a United States Circuit Judge for the Eighth Circuit; Beverly Martin, to be a United States District Judge for the Northern District of Georgia; Jay Garcia-Gregory, to be a United States District Judge for the District of Puerto Rico; and Laura Taylor Swain, to be a United States District Judge for the Southern District of New York.

On May 24, the Senate confirmed the following nominations by roll call votes: Timothy Dyk, to be a United States Circuit Judge for the Federal Circuit; Gerald Lynch, to be a United States District Judge for the Southern District of New York; James Brady, to be a United States District Judge for the Middle District of Louisiana; and Mary McLaughlin, to be a United States District Judge for the Eastern District of Pennsylvania.

Also, on May 24, by unanimous consent, the Senate confirmed the following nominations: Richard Tallman, to be a United States Circuit Judge for the Ninth Circuit; James Whittemore, to be a United States District Judge for the Middle District of Florida; Marianne Battani and David Lawson, both to be United States District Judges for the Eastern District of Michigan; John Antoon, to be a United States District Judge for the Middle District of Florida; Nicholas Garaufis, to be a United States District Judge for the Eastern District of New York; Phyllis Hamilton, to be a United States District Judge for the Northern District of California; Roger Hunt and Kent Dawson, both to be United States District Judges for the District of Nevada; Berle Schiller, Richard Surrick and Petrese Tucker, all to be United States District Judges for the Eastern District of Pennsylvania; Audrey Fleissig, to be United States Attorney for the Eastern District of Missouri; Steven Reed, to be United States Attorney for the Western District of Kentucky; Donnie Marshall to be Administrator of the Drug Enforcement Administration; Donald Horton, to be United States Marshal for the District of Columbia; E. Douglas Hamilton, to be United States Marshal for the Western District of Kentucky; Jose Perez, to be United States Marshal for the Central District of California; and Mark Reid Tucker, to be United States Marshal for the Eastern District of North Carolina.